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Attorneys for Plaintiff
[REDACTED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x

[REDACTED],

Plaintiff,

- against -

A.R.D.C./Department of Corrections, :
Correctional [REDACTED] (#9208), :
Captain [REDACTED] (#1185) and :
Captain [REDACTED], :

Defendants. :

: 90 Civ. 4000 (PKL) (NRB)

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PLAINTIFF'S ANSWERS TO
DEFENDANTS' FIRST SET OF INTERROGATORIES
AND RESPONSES TO DEFENDANTS' FIRST
REQUEST FOR PRODUCTION OF DOCUMENTS

Plaintiff [REDACTED], pursuant to Rules 33
and 34 of the Federal Rules of Civil Procedure and Civil
Rules 46 and 47 of the Rules of the United States District
Courts for the Southern and Eastern Districts of New York,
hereby answers and objects to defendants' First Set of
Interrogatories, dated May 23, 1991 and served on counsel
for plaintiff on October 6, 1993 ("Defendants'

Interrogatories"), and responds and objects to defendants' First Request for Production of Documents, dated May 23, 1991 and served on counsel for plaintiff on October 6, 1993 ("Defendants' Document Request") (Defendants' Interrogatories and Document Request, collectively, "Defendants' Discovery Requests").¹

Plaintiff responds in part to Defendants' Discovery Requests by stating that documents responsive to those Requests are available for inspection and copying at the offices of Seward & Kissel, One Battery Park Plaza, New York, New York, 10004 at a mutually agreeable date and time.

General Objections

1. Plaintiff objects to Defendants' Interrogatories insofar as they exceed the proper scope of interrogatories as set forth in Local Civil Rule 46. Local Civil Rule 46 provides that at the commencement of discovery interrogatories are restricted to those seeking (a) the names of witnesses with knowledge of information relevant to the action, (b) the computation of damages alleged in the

1. Defendants' Discovery Requests were served initially on plaintiff on May 23, 1991. By letter dated June 6, 1991, the Court advised plaintiff that he did not have to respond to Defendants' Discovery Requests until he was appointed counsel. Plaintiff was subsequently appointed counsel and Defendants' Discovery Requests were served on counsel for plaintiff on October 6, 1993.

complaint and (c) the existence, custodian, location and general description of relevant documents.

2. Plaintiff objects to Definitions 1 through 3 of Defendants' Discovery Requests to the extent they define the terms "document," "identify" (with respect to persons) and "identify" (with respect to documents) more expansively than Local Civil Rules 47(c)(2), (c)(3) and (c)(4), respectively.

3. Plaintiff objects to Defendants' Discovery Requests to the extent they may call for information that is protected from disclosure by either the attorney-client privilege, attorney work-product doctrine or other privilege.

4. Plaintiff objects to Defendants' Discovery Requests to the extent that information is requested after this litigation was commenced on May 21, 1989.

5. Plaintiff reserves his rights pursuant to Rule 33(c) of the Federal Rules of Civil Procedure to respond to an interrogatory by specifying the records from which the answer may be derived or ascertained and to afford defendants a reasonable opportunity to examine, audit or inspect such records.

6. To each of his specific answers and responses and objections, plaintiff incorporates these general

objections. Plaintiff reserves his right to amend, modify or supplement his answers and responses or objections or to move for a protective order, if necessary. Plaintiff also reserves all objections as to the competency, relevancy, materiality or admissability of any answers to Defendants' Interrogatories or any documents produced to defendants.

Specific Answers And Objections

Interrogatory 1

State your (a) full name and any other name which at any time you have used; (b) social security number; (c) date and place of birth; (d) United States citizenship and/or residency status; and (e) height and weight at the present time and at the time of the alleged incident(s).

Answer and Objection to Interrogatory 1

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that it is harassing, irrelevant and not reasonably calculated to lead to the discovery of admissable evidence.

Interrogatory 2

State your (a) current residence and business address; (b) current occupation and your employer's name; (c) current monthly income; (d) occupation and your employer's name and address on the date of the alleged incident(s); (e) occupation and your employer's name(s) and address(es) for seven years preceding the date of incident(s) alleged in the complaint; and (f) monthly income for the seven years preceding the incident(s) alleged in the complaint and since the incident(s) alleged in the complaint.

Answer and Objection to Interrogatory 2

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is overbroad, unduly burdensome, harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 3

State the name(s) and address(es) of your (a) wife; (b) children; (c) mother; (d) father; and (e) siblings.

Answer and Objection to Interrogatory 3

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 4

State whether you have served in the military; if yes, itemize in detail the period in which you served and the locations(s) where you served, and your discharge date and status.

Answer and Objection to Interrogatory 4

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 5

State whether you are claiming past or future loss of income or an inability to attend to your occupation or business or to perform any other activity as a result of the incident(s) alleged in the complaint. If you are so claiming, itemize in detail the period you were so disabled and the amount of income lost and describe the nature and extent of your inability to perform any activity or to attend to your occupation.

Answer and Objection to Interrogatory 5

Plaintiff states that he is not claiming past or future loss of income as part of his damages.

Interrogatory 6

State whether you presently receive or ever received public assistance; if yes, itemize in detail (a) the period in which you received public assistance and (b) the amount you received.

Answer and Objection to Interrogatory 6

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is overbroad, unduly burdensome, harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 7

Identify (a) each person who saw or heard any part of the incident(s) alleged in the complaint; (b) any and all documents or statements prepared by or containing statements or information concerning or supplied by, any person or witness identified in response to the previous interrogatories; and (c) each person whom you intend to call at trial as a witness, other than as an expert witness.

Answer and Objection to Interrogatory 7

(a) Plaintiff objects on the grounds that the information sought is overbroad and unduly burdensome. Without waiving these objections, plaintiff states that the following persons witnessed the incident alleged in the complaint:

1. plaintiff
2. defendant [REDACTED]
3. defendant [REDACTED]
4. defendant [REDACTED]
5. Correction Officer [REDACTED]
6. Tony [REDACTED]
7. Allen [REDACTED]
8. Rodney [REDACTED]

Plaintiff further states that there were other inmates and correction officers present during the incident, but, at the present time, he is unable to identify the names of those witnesses.

(b) Plaintiff objects on the grounds that the information sought is unduly burdensome. Without waiving this objection, plaintiff refers defendants to documents he is making available for inspection and copying in response to Requests 1 and 2 of Defendants' Document Request for certain of the information sought in this interrogatory.

(c) Plaintiff states that, subject to amendment, he may presently call as witnesses those persons identified in response to subpart (a) of this interrogatory.

Interrogatory 8

Identify any and all documents prepared by or for you regarding the incident(s) alleged in the complaint, including but not limited to any and all investigative reports prepared by or for you.

Answer and Objection to Interrogatory 8

Plaintiff objects on the grounds that it is overbroad and unduly burdensome. Without waiving these objections, plaintiff refers defendants to documents he is making available for inspection and copying in response to Requests 1 and 2 of Defendants' Document Request for certain of the information sought in this interrogatory.

Interrogatory 9

Identify each person whom you intend to call as an expert witness at trial. In addition, for each such person list (a) the expert's current occupation or profession; (b) the expert's particular specialty; (c) the expert's qualifications; (d) the subject matter on which the expert is expected to testify; (e) the substance of the facts and opinions to which the expert is expected to testify; (f) a summary of the grounds for each opinion; and (g) whether a report was prepared by said expert.

Answer and Objection to Interrogatory 9

Plaintiff objects to the extent it seeks information beyond the scope permitted by Rule 26(b)(4) of the Federal Rules of Civil Procedure. Without waiving this objection, plaintiff states that he will provide the

information required by Rule 26(b)(4) of the Federal Rules of Civil Procedure, if any, reasonably in advance of trial.

Interrogatory 10

State whether you complained or protested about or filed a claim concerning the actions you attribute to the defendants or any correction officer with the Inmate Grievance Committee or any other agency, including, but not limited to, the Office of the Comptroller of the City of New York, regarding the incident(s) alleged in the complaint. If so, state (a) the agency with which the claim, complaint or protest was filed; (b) the date it was filed; (c) the complaint number; and (d) the disposition of the complaint; and (e) identify any and all documents prepared by or for you which discusses those claim(s), complaint(s), or protest(s) including but not limited to any and all investigative reports prepared by or for you.

Answer and Objection to Interrogatory 10

Plaintiff objects on the grounds set forth in General Objection 1. Without waiving this objection, plaintiff refers defendants to documents he is making available for inspection and copying in response to Request 2 of Defendants' Document Request for certain of the information sought in this interrogatory.

Interrogatory 11

State whether you complained or protested or filed a claim concerning the actions you attribute to any of the defendants to any New York State Court regarding the incidents alleged in the complaint. If so, state (a) the Court(s) in which the complaint was filed; (b) the name(s) of the Justice(s) to whom you made the complaint; (c) the date(s) it was filed; and (d) the disposition of the complaint(s); and (e) identify any and all documents prepared by or for you which discusses those claim(s), complaint(s) or protest(s) including but not limited to any and all investigative reports prepared by or for you and (f) identify any and all court orders which discuss or dispose of those claim(s), complaint(s) or protest(s).

Answer and Objection to Interrogatory 11

Plaintiff objects on the grounds set forth in General Objection 1. Without waiving this objection, plaintiff refers defendants to documents he is making available for inspection and copying in response to Request 2 of Defendants' Document Request for certain of the information sought in this interrogatory.

Interrogatory 12

State whether you have received any medical and/or mental health treatment at any time for the injuries allegedly sustained as a result of the incident(s) alleged in the complaint. If yes, (a) state the dates when medical and/or mental health treatment or care was received; (b) state the places where the treatment or care was provided; (c) identify all persons who were health care providers and/or physicians; and (d) state the nature of treatment.

Answer and Objection to Interrogatory 12

Plaintiff objects on the grounds set forth in General Objection 1.

Interrogatory 13

Identify all documents pertaining to any medical care and/or mental health care or treatment received by you for injuries allegedly sustained during the incident(s) alleged in the complaint including, but not limited to, hospital records, health care provider and physical therapy records, X-rays, bills, reports and correspondence. Also, identify any photograph or diagram depicting any injury or treatment you received; identify the photographer/diagrammer and state the date the photograph or diagram was made.

Answer and Objection to Interrogatory 13

Plaintiff refers defendants to documents he is making available for inspection and copying in response to Request 2 of Defendants' Document Request for certain of the information sought in this interrogatory. Plaintiff states that the Polaroid pictures of his injuries were taken on or about May 16, 1990 by James [REDACTED]

Interrogatory 14

When, where, and by whom were you last examined or given medical attention for any injury you claim to have sustained as a result of the incident(s) alleged in the complaint?

Answer and Objection to Interrogatory 14

Plaintiff objects on the grounds set forth in General Objection 1.

Interrogatory 15

Are you still under treatment for any injury you claim, to have sustained as a result of the incident(s) alleged in the complaint? If so, where, by whom, and how frequently are such treatments given to you at present? If you have not fully recovered from all your injuries, describe in detail any and all resulting pains, ailments, complaints, injuries, or disabilities that you presently suffer from.

Answer and Objection to Interrogatory 15

Plaintiff objects on the grounds set forth in General Objection 1.

Interrogatory 16

Detail all expenses incurred by you or by anyone on your behalf as a result of the incident(s) alleged in the complaint. Identify all documents which in any way tend to

substantiate these expenses including, but not limited to, bills, proof of payment thereof, and receipts for out-of-pocket expenses.

Answer and Objection to Interrogatory 16

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that it is harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, plaintiff states that there are no documents responsive to this interrogatory.

Interrogatory 17

State whether you are covered by insurance for any out-of-pocket expenses, medical treatment or care, or other expenses which you incurred in connection with the incident(s) alleged in the complaint. If so, identify any documents setting forth your insurance coverage as well as those pertaining to any claims made or benefits received by you.

Answer and Objection to Interrogatory 17

Plaintiff objects on the grounds set forth in General Objection 1 and further objects on the grounds that it is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, plaintiff states that there are no documents responsive to this interrogatory.

Interrogatory 18

Itemize in specific detail the basis for the total amount of damages you seek. Identify any and all documents you will use to support the total amount of damages sought.

Answer and Objection to Interrogatory 18

Plaintiff states that he has suffered damages for physical injuries, permanent disfigurement and pain and suffering in an amount to be determined at trial, but not less than \$50,000.

Interrogatory 19

Have you brought any legal action, other than the instant one, in which you contend that a law enforcement official assaulted or threatened you or infringed upon your civil rights? If the answer is "yes," describe any legal proceedings that were or are being conducted, state the disposition of any such action, and state the date, place, and court asserting jurisdiction over said proceedings and dispositions.

Answer and Objection to Interrogatory 19

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that it is harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 20

Identify with specificity who committed each of the acts alleged in the complaint and describe in detail the manner and substance of each of the acts. Include in your response the precise location and exact time and date of each of the alleged acts.

Answer and Objection to Interrogatory 20

Plaintiff objects on the grounds set forth in General Objection 1.

Interrogatory 21

State how long you were ill or disabled as a result of the incident(s) complained of in the complaint and how, whether such illness or disability interfered with normal activities, and what you did during the period of such disability to effect a cure or alleviation of your illness or disability.

Answer and Objection to Interrogatory 21

Plaintiff objects on the grounds set forth in General Objection 1.

Interrogatory 22

(a) Have you sought or received any medical attention during the five years preceding the incident(s) complained of in the complaint or since the incident? (b) If yes, describe in detail your symptoms, injuries, illnesses, or disabilities and all reports, documents, etc., relating thereto; (c) describe the nature of any course of treatment advised; (d) date of treatment; and (e) name of all persons who examined or treated you.

Answer and Objection to Interrogatory 22

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is overbroad, unduly burdensome, harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, plaintiff states that responsive documents, if any, are in the custody, possession or control of the defendants and the Department of Correction.

Interrogatory 23

(a) Have you sought or received psychiatric or psychological attention during the five years preceding the incident(s) complained of in the complaint or since the

incident? (b) If yes, describe in detail your symptoms, injuries, illnesses, or disabilities and all reports, documents, etc., relating thereto; (c) describe the nature of any course of treatment advised; (d) date of treatment; and (e) name of all persons who examined or treated you.

Answer and Objection to Interrogatory 23

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is overbroad, unduly burdensome, harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, plaintiff states that responsive documents, if any, are in the custody, possession or control of the defendants and the Department of Correction.

Interrogatory 24

State whether on the date(s) of the alleged incident(s) you were taking any drugs, including, but not limited to alcohol or medication. If the answer to this interrogatory is yes, state (a) the type of drug you took; (b) the approximate dates when such usage began; (c) the approximate date when such usage ended; (d) whether the drug or medication was prescribed by a physician or therapist as a part of a course of medical treatment; (e) the names of the treating physician(s) and/or therapist(s) who prescribed such drugs or medication.

Answer and Objection to Interrogatory 24

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 25

State whether you have ever been treated or confined because of excessive use of alcohol, drugs or medications. If the answer to this interrogatory is yes, state (a) the date when such treatment or confinement began; (b) the date when such treatment or confinement ended; (c) the nature of the treatment given; and (d) the name(s) of the treating physician and/or therapist.

Answer and Objection to Interrogatory 25

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is overbroad, unduly burdensome, harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 26

At the time of the incident(s) complained of in the complaint, what clothes were you wearing? Describe the color, style, and dimensions of each item of clothing. Include footwear. State whether you still possess these clothes.

Answer and Objection to Interrogatory 26

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 27

In the five hours preceding the incident(s) the complaint, what were you doing? Identify each person you spoke to and where you spoke to them. State your relationship with each of these people, and the activity you were engaged in while with these people.

Answer and Objection to Interrogatory 27

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is overbroad, unduly burdensome, harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 28

State whether you have ever been a party to any other legal proceeding, either criminal or civil, including juvenile delinquency proceedings. If so, as to each such proceeding, state (a) the title of the proceeding; (b) the court in which it is or was pending; (c) the indictment, docket or index number, whichever is applicable; and (d) briefly describe the nature of the proceeding, its present status, and the disposition of the proceeding.

Answer and Objection to Interrogatory 28

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is overbroad, unduly burdensome, harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 29

Have you ever been arrested?

Answer and Objection to Interrogatory 29

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is harassing, irrelevant and not

reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 30

State as to each arrest the following, giving specific details:

- (a) whether you were apprehended by police;
- (b) whether you turned yourself in;
- (c) whether you were threatened or assaulted by any police officer(s).

Answer and Objection to Interrogatory 30

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 31

State as to each arrest:

- (a) the date;
- (b) place;
- (c) charge;
- (d) circumstances of crime or offense alleged;
- (e) court or authority asserting jurisdiction;
- (f) plea entered;
- (g) whether a trial or hearing was conducted;
- (h) disposition and date and place of disposition;
- (i) sentence imposed; and

(j) sentence served.

Answer and Objection to Interrogatory 31

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 32

Have you ever filed an inmate grievance with the Inmate Grievance Committee against any employee of the New York City Correction Department other than in connection with the incident(s) complained of in this action? If so, state (a) the date of the complaint; (b) the complaint number; and (c) the disposition of the complaint.

Answer and Objection to Interrogatory 32

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is overbroad, unduly burdensome, harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 33

Itemize in detail your income for each of the last seven years.

Answer and Objection to Interrogatory 33

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is overbroad, unduly burdensome,

harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 34

Have you ever been accused of perjury? If yes, state (a) the date; (b) the place; and (c) circumstances surrounding the accusation(s).

Answer and Objection to Interrogatory 34

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Interrogatory 35

Have you filed your income tax returns for federal and state taxes for the past seven years? If yes, identify any and all documents prepared by or for you relating to those filed income tax returns for the past seven years; if you have not, state why you have not.

Answer and Objection to Interrogatory 35

Plaintiff objects on the grounds set forth in General Objection 1, and further objects on the grounds that the information sought is overbroad, unduly burdensome, harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Specific Responses

Request 1

Identify and produce any and all documents prepared by, or containing statements or information concerning or supplied by, witnesses or persons described in the foregoing interrogatories.

Response and Objection to Request 1

Plaintiff objects on the grounds that the information sought is overbroad and unduly burdensome. Without waiving these objections, plaintiff hereby makes available for inspection and copying documents responsive to this request.

Request 2

Identify and produce all documents referred to in response to interrogatories 1 through 35.

Response and Objection to Request 2

Plaintiff incorporates all of his objections made to the foregoing interrogatories. Without waiving these objections, plaintiff hereby makes available for inspection and copying documents responsive to this request.

Request 3

Complete and provide written releases permitting the defendants or the Corporation Counsel's Office to be furnished with copies of all medical records and psychiatric/psychological records relating to any injury you allege in the complaint to have sustained. "Medical records" and "psychiatric/psychological records" include, but are not limited to, hospital and health care provider records, X-rays, bills, reports and correspondence. Complete a separate release for each medical or mental health facility or treating physician, psychiatrist, psychologist, or therapist. In addition, produce all

documents in your possession identified in Interrogatory No. 13.

Response and Objection to Request 3

Plaintiff refers defendants to documents being made available in Response to Request 2 and states that he will sign any appropriate and necessary releases provided to him by defendants. Copies of executed releases for plaintiff's medical records, provided to him by defendants, are attached as Exhibit A hereto.

Request 4

Identify and produce any and all documents (other than those requested above) which relate to any incident or event alleged in the complaint or to any injury you allege to have sustained. Include, for example, any photographs, newspaper clippings, and documents relating to your arrest, criminal charges, indictment, and/or trial and your related involvement with the district attorney's office and with the courts.

Response and Objection to Request 4

Plaintiff objects on the grounds that the information sought is overbroad and unduly burdensome. Without waiving these objections, plaintiff refers defendants to documents being made available for inspection and copying in Response to Requests 1 and 2 and states that he will make available for inspection and copying any additional documents responsive to this request.

Request 5

Identify and produce any and all documents submitted by you or on your behalf to any agency of the City of New York, including the Correction Department Inmate

Grievance Committee, and any New York State Court in connection with any complaint you may have made concerning any matter which is the subject of your complaint. Identify and produce any and all related documents received by you from any agency of the City of New York and from any New York State Court.

Response and Objection to Request 5

Plaintiff objects on the grounds that the information sought is overbroad and unduly burdensome. Without waiving these objections, plaintiff refers defendants to documents being made available in Response to Request 2 and states that there are no additional documents responsive to this request.

Request 6

Provide a written release permitting a representative of the Corporation Counsel of the City of New York to gain access to and be provided copies of any and all court and prosecutorial records related to any arrest of plaintiff and to the disposition of any charges arising from each arrest. Include any and all related indictment number(s), index or docket number(s), and the court(s) which had jurisdiction concerning prosecution of each arrest.

Response and Objection to Request 6

Plaintiff objects on the grounds that the information sought is overbroad, unduly burdensome, harassing, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, plaintiff will sign any appropriate and necessary releases provided to him by defendants.

Request 7

Provide written releases permitting a representative of the Office of the Corporation Counsel of the City of New York, attorney for defendants, to be furnished copies of any and all medical records relating to any injury you claim to have sustained as a result of the incidents alleged in the complaint. "Medical records" includes, but is not limited to, hospital, physician, nurse, and physical and other therapy records, x-rays, bills, reports, and correspondence.

Response and Objection to Request 7

Plaintiff objects on the grounds that the information sought is duplicative of the information sought in Document Request 3 and refers defendants to his Response and Objection to Request 3.

Request 8

Complete a separate release for each medical facility or treating physician and one for your present place of incarceration.

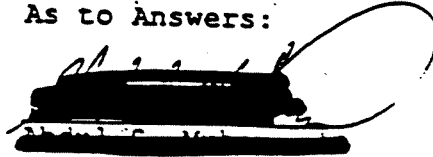
Response and Objection Request 8

Plaintiff objects on the grounds that the information sought is overbroad, unduly burdensome, harassing, irrelevant and not reasonably calculated to lead

to the discovery of admissible evidence. Without waiving these objections, plaintiff will sign any appropriate and necessary releases provided to him by defendants.

New York, New York
November 12, 1993

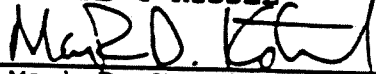

As to Answers:



As to Objections:

SEWARD & KISSEL

By:


Mark D. Kotwick (MD-2699)
One Battery Park Plaza
New York, New York 10004
(212) 574-1200
Attorneys for Plaintiff


VERIFICATION

STATE OF NEW YORK)
COUNTY OF Oneida) ss.: .

████████████████████, being duly sworn, deposes and says that I am the plaintiff in this action, that I have read the foregoing answers to interrogatories and know the contents thereof, and the same are true to my knowledge, information and belief.

[Signature]
[Redacted]
[Redacted]

Sworn to before me
November 24th, 1993

Doranne L. Linscott
Notary Public

ROXANNE SIMONSON
Notary Public, State of New York
No 4936821
Qualified in Onondaga County
Commission Expires September 23, 1995